



EMPLOYMENT TRIBUNALS

Claimant: Ms S.J. Williams

Respondent: Lyons Holiday Park Ltd

HELD by: CVP

ON: 22-23 April & 24-25
November 2021

BEFORE: Employment Judge T. Vincent Ryan
Ms W. Morgan
Mr G. Howells

REPRESENTATION:

Claimant: Ms K. Sheridan, Counsel

Respondent: Mr. R. Moffatt, Counsel

JUDGMENT

The unanimous judgment and declaration of the Tribunal is:

1. The claimant was unfairly dismissed by the respondent on 24th March 2020; her Unfair Dismissal claim is well-founded and succeeds.
2. By the respondent's concession, the claimant's claim that the respondent made unauthorised deductions from her wages, alternatively that it failed to pay to her holiday pay due on termination of employment, is well-founded and succeeds. The respondent shall pay to the claimant £69.23 in respect of this judgment by consent;
3. The claimant's claim that the respondent discriminated against her in relation to the protected characteristic of age fails and is dismissed.
4. In the light of the liability judgment in respect of the claims of Unfair Dismissal and unlawful age discrimination the parties reached terms of financial settlement recorded by them in an exchange of email correspondence to which the Tribunal was not a party and which remain confidential; the Tribunal did not make any judgment on remedy nor make an award, and therefore the Recoupment provisions do not apply. Unless either party applies to the Tribunal in writing by no later than 4pm on 24th December 2021 for the remedy hearing to be restored the claimant's application for an Award shall be deemed withdrawn and shall be dismissed. The parties shall note that the

Tribunal does not have jurisdiction to enforce a settlement agreement, and the remedy hearing would not be restored to the list if the issue is breach of the terms of the settlement; restoration will be a matter of judicial discretion exercised in the interests of justice.

REASONS

Oral reasons having been given to the parties and subsequent to settlement of the claimant's application for an Award, the claimant requested written Reasons; they will be provided.

Employment Judge T.V. Ryan

Date: 25.11.21

JUDGMENT SENT TO THE PARTIES ON 30 November 2021

FOR THE TRIBUNAL OFFICE Mr N Roche